

REMARKS/ARGUMENTS

The action by the Examiner of this application, together with the cited references, has been given careful consideration. Following such consideration, claims 1, 3-4, and 7-9 have been amended to define more clearly the patentable invention applicants believe is disclosed herein. Claim 2 has been cancelled and claims 5-6 are unchanged by the present amendment paper. It is respectfully requested that the Examiner reconsider the claims in their present form, together with the following comments, and allow the application.

The Examiner has objected to claim 4 for a minor informality. The present amendment addresses the informality noted by the Examiner. Accordingly, it is respectfully requested that the Examiner withdraw the objection to claim 4.

The Examiner has rejected claim 7 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, the Examiner has noted that claim 7 is indefinite because it is unclear whether the controller determines where a connection is to be made or determines if a connection is proper or improper. The Examiner further notes that it is unclear whether the controller determines a predetermined pressure or if this pressure is input into the controller. It is believed that the present amendment to claim 7 clarifies the meaning of the claim, and addresses the concerns raised by the Examiner. Accordingly, it is respectfully requested the Examiner withdraw the rejection under 35 U.S.C. 112, second paragraph.

The Examiner has rejected claims 1, 5, and 6 as being obvious in view of the combined teachings of U.S. Patent No. 5,761,069 to Weber et al., U.S. Patent No. 6,485,684 to Mapson et al., and U.S. Patent Application Publication No. 2004/0091389 to Malkin et al. Furthermore, the Examiner has rejected claims 2-4 and 7-9 as being obvious in view of the combined teachings of Weber et al., Mapson et al., Malkin et al., and U.S. Patent No. 5,279,799 to Moser et al.

Referring now to independent claim 1, this claim now incorporates limitations from dependent claim 2 (now canceled). In particular, claim 1 now recites a controller, responsive to an electrical signal, that determines whether a sensed pressure is indicative of an improper connection with the device being microbially deactivated, and "a display unit for

displaying a graphic indicating a location in the reprocessor apparatus where the improper connection with the device has been detected.”

In rejecting claim 2, the Examiner argues that Weber et al. teaches a display unit for indicating the status of various components of a reprocessing unit. However, the Examiner acknowledges that Weber et al. fails to teach “displaying the location in the reprocessor apparatus where an improper connection has been detected.” Accordingly, the Examiner relies upon Moser et al. for teaching “a sterilization system for endoscopes in which endoscope ducts are checked for clogs. When a clog is determined, the specific duct is indicated on a display field of the control unit (column 6 lines 15-18).” In view of this teaching in Moser et al., the Examiner concludes that “it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the location of an improper connection found in Weber et al.’s reprocessor apparatus on the screen display just as the clogged duct location was displayed in Moser’s invention to notify the user of which connection is improper so the connection can be made proper, thereby increasing the response time for operators to make the reprocessor safe from spilled sterilant.” The Examiner further states that “[t]his would have also aided in preventing the shutdown of all the reprocessors at once to correct the connection, since Weber et al. teach that all four reprocessors could be controlled and monitored simultaneously (column 8 lines 22-26).”

It is respectfully submitted that neither Weber et al. nor Moser et al., taken individually or in combination, teach or suggest the applicants’ invention as now defined by independent claim 1. In this regard, independent claim 1 calls for “a display unit for displaying a graphic indicating a location in the reprocessor apparatus *where the improper connection with the device has been detected.*” Neither Weber et al. nor Moser et al., teach or suggest the claimed “display unit” as now set forth in claim 1.

The Examiner argues that Weber et al. teach a display unit for indicating the status of various components of the reprocessing unit, but acknowledges that “Weber et al. fail to teach displaying the location in the reprocessor apparatus where an improper connection has been detected.” It has been further noted by the Examiner in connection with the rejection of claim 1, that “Weber et al. teach the pressure sensed is indicative of the *failed circulation pump* (column 12 lines 26-29), however, Weber et al. fail to teach the importance of ensuring the connections

within the reprocessing system are secure.” In view of the foregoing, it is submitted that, Weber et al. in no way teach or suggest a display unit for displaying a graphic indicating a location in a reprocessor apparatus where an improper connection with a device being microbially deactivated has been detected, as required by amended claim 1.

Moser et al. also fails to teach or suggest a display unit for displaying a graphic indicating a location in a reprocessor apparatus where an improper connection with a device being microbially deactivated has been detected. In this regard, the “improper connection” recited by claim 1 refers to an improper connection with the device being microbially deactivated. In contrast, Moser et al. teaches indication of a *clogged duct* on a display field of a control unit. Moser’s apparatus determines that an endoscope duct is not clogged when air flows through the endoscope duct via a float body magnet switch. If a given duct is determined to be clogged, the magnetic switch is not released. As a result, the clogged duct is indicated on a display field of the control unit, and the machine is stopped (see column 6, lines 9-18).

It is respectfully submitted that detecting and displaying the location of a *clogged duct* is not equivalent to determining whether there is an improper connection with a device being microbially deactivated, and displaying a graphic indicating the location in the reprocessor apparatus where the improper connection with the device has been detected. The detection of a “clogged duct” does not provide an indication as to whether a device being microbially deactivated has been properly connected. Likewise, a proper connection with the device being microbially deactivated does not provide an indication as to whether an endoscope duct is clogged.

Furthermore, none of the other cited references provide for the deficiencies of Weber et al. and Moser et al.

In view of the foregoing, it is respectfully submitted that the applicants’ invention as defined by claim 1 is neither taught nor suggested by the cited references, taken individually or in combination. Therefore, it is respectfully requested that the Examiner now withdraw the prior art rejection of claim 1.

The remaining claims of the application (i.e., claims 3-9) depend from claim 1. Thus, it is respectfully submitted that these claims are patentable over the cited references for at least the reasons set forth above in connection with independent claim 1.

The cited references made of record and not relied upon have also been reviewed. It is respectfully submitted that none of these additional references teaches or suggests the applicants' invention as defined by the present claims.

In view of the foregoing, it is respectfully submitted that the present application is now in proper condition for allowance. If the Examiner believes there are any further matters that need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0537, referencing our Docket No. ST8724US.

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Respectfully submitted,



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I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: March 9, 2006



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